

Appl. No. 10/037,670  
Amdt. dated 01/10/2005  
Reply to Office action of 10/08/2004

### **REMARKS**

This Amendment is in response to the Office Action mailed 10/08/2004. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

#### ***Specification***

2. The Examiner objects to the abstract of the disclosure. Applicant has provided a new abstract and respectfully requests that the Examiner withdraw the objection to the specification.

#### ***Rejection Under 35 U.S.C. § 112***

3. The Examiner rejects claims 17 and 62 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Applicant has cancelled claims 17 and 62 and respectfully requests that the Examiner withdraw the rejection of claims 17 and 62 under 35 U.S.C. § 112, first paragraph.

#### ***Rejection Under 35 U.S.C. § 102***

5. The Examiner rejects claims 1-4, 7, 10, 11, 13-18, 20-28, 33-36, 46-49, 52, 55, 56, 58-63, 65-67, 70-72, 74, 75, 77, and 78 under 35 U.S.C. § 102(b) as being anticipated by Buch (5,669,002).

Applicant has amended independent claims 1, 15, 27, 46, 60, and 72 and dependent claims 10, 11, 22, and 25 to contain elements relating to receiving a write request and these claims are discussed in section 7 below in connection with the rejection of claim 5 et al.

Claims 2-4, 16-18, 20-21, 28, 47-49, 61-63, 65, and 75 have been cancelled.

Regarding claims 7, 13, 14, 23, 24, 26, 33-36, 52, 55, 56, 58, 59, 66-67, 70-71, 74, 77, and 78, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional elements recited.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-4, 7, 10, 11, 13-18, 20-28, 33-36, 46-49, 52, 55, 56, 58-63, 65-67, 70-72, 74, 75, 77, and 78 under 35 U.S.C. § 102(b) as being anticipated by Buch.

#### ***Rejection Under 35 U.S.C. § 103***

7. The Examiner rejects claims 5, 6, 19, 29-31, 40-45, 50, 51, 64, and 76 under 35 U.S.C. § 103(a) as being unpatentable over Buch (5,669,002).

Claims 5, 6, 29, 40, 42, 50, 51, and 76 have been cancelled.

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Regarding claims 31, and 43-45, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional elements recited.

Regarding claims 1, 10, 11, 15, 19, 22, 25, 27, 30, 41, 46, 60, 64, and 72, the Examiner admits that Buch does not disclose the first requestor executing a write of the second indicator. The Examiner asserts that it would have been obvious for the first requestor to execute a write of the second indicator based on the disclosure by Buch that reading the lock register may execute a write of the second indicator. Applicant respectfully disagrees.

Independent claims 1, 15, 27, 46, 60, and 72 and dependent claims 10, 11, 22, and 25 have been amended to contain elements relating to receiving a write request and are therefore included in this discussion.

When the first requestor reads the lock register, the first requestor thereby acquires the state of the lock and may determine whether or not the shared resource has been reserved for the first requestor. The first requestor does not acquire the state of the lock by requesting a write of the lock register. Therefore one would not be motivated to modify the disclosure in the manner suggested by the Examiner. Based on the disclosure of Buch the modification proposed by the Examiner would be less satisfactory than the method disclosed by Buch.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 5, 6, 19, 29-31, 40-45, 50, 51, 64, and 76 under 35 U.S.C. § 103(a) as being unpatentable over Buch.

8. The Examiner rejects claims 32 and 73 under 35 U.S.C. § 103(a) as being unpatentable over Buch (5,669,002) in view of Dror (5,276,886).

Regarding claims 32 and 73, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional elements recited.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 32 and 73 under 35 U.S.C. § 103(a) as being unpatentable over Buch in view of Dror.

9. The Examiner rejects claims 12, 37-39, and 57 under 35 U.S.C. § 103(a) as being unpatentable over Buch (5,669,002) in view of Montgomery et al. (6,529,933).

Claims 38-39 have been cancelled.

Regarding claims 12 and 57, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional elements recited.

Regarding claim 37, the rejection is traversed on the same basis as discussed above in section 7 above in connection with the rejection of claim 5 et al.

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Applicant respectfully requests that the Examiner withdraw the rejection of claims 32 and 73 under 35 U.S.C. § 103(a) as being unpatentable over Buch in view of Dror.

***Conclusion***

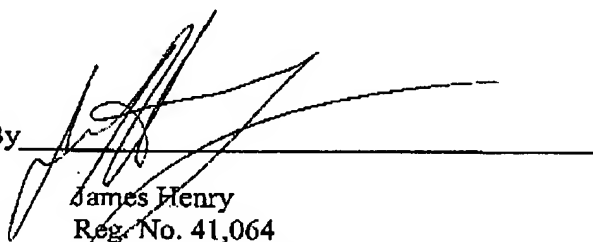
Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 01/10/2005

By



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